

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JERMAINE COLEMAN,
Petitioner,

v.

**UNITED STATES OF AMERICA, and
WARDEN, FDC-PHILADELPHIA,**
Respondents.

CIVIL ACTION

NO. 20-1769

ORDER

AND NOW, this 22nd day of July, 2020, upon consideration of Petitioner's Motion for Reconsideration (Document No. 16, filed June 15, 2020), the Government's Response in Opposition to Petitioner's Motion for Reconsideration (Document No. 17, filed June 29, 2020), and Petitioner's Reply Memorandum of Law in Support of Motion for Reconsideration (Document No. 18, filed July 13, 2020), for the reasons stated in the Memorandum dated July 22, 2020, **IT IS ORDERED** as follows:

1. Petitioner's Motion for Reconsideration (Document No. 16) is **GRANTED**.
2. This Court's Memorandum and Order of April 30, 2020 (Document Nos. 8 & 9), denying petitioner's Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241, are **VACATED** to the extent the Memorandum and Order deny petitioner's Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241. To the extent the Memorandum and Order dated April 30, 2020 addressed the arguments presented by petitioner under Federal Rule of Criminal Procedure 36 and 18 U.S.C. § 3582(c)(1)(A)(i)—issues not raised in the Motion for Reconsideration—the Memorandum and Order dated April 30, 2020 remain in place and are not vacated.

3. Petitioner's Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241 (Document No. 3, filed April 3, 2020) is **GRANTED**.

4. The Bureau of Prisons shall recalculate petitioner's sentence in accordance with the facts and applicable law as set forth in the accompanying Memorandum dated July 22, 2020, and award petitioner prior custody credit pursuant to 18 U.S.C. § 3585(b) for time spent in custody from September 21, 2013 through September 4, 2015.

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.